

Application No.: 09/536,137
Docket No.: FA0881USNA

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INTERVIEW SUMMARY**JUN 21 2006**

Applicants report the summary of a personal interview with Examiner Cam Linh T Nguyen, which was held at the United States Patent and Trademark Office in Alexandria, Virginia on June 6, 2006 at 11:00 a.m. At the conclusion of the interview, the Examiner stated that she would provide an Interview Summary. At the time of preparing this response and statement of substance of the interview, Applicants' attorney had not received said Summary. Applicants, therefore, present the substance of the interview immediately below.

Present at the interview were Daniel Benton (Inventor); Gann Xu (Patent agent and Employee of Assignee of record) and Chyrea Sebree, Attorney for Applicants.

The prior art cited by the Examiner, which forms the bases for Examiner's rejections, and which were discussed during the interview are: US 6,522,977; US 5,153,825; and Thunderbird ID Numbers 1955-93, Copyright 1994 by Amos Press Inc., pp.217-218.

During the interview, Applicants first presented to the Examiner a proposed amendment to impart further clarity to claims 1, 3 and 11. (Applicants present the amendment for entry in this response.)

Certain automobile color samples were brought to the interview to facilitate the discussion around variation in an automobile manufacturer's paint colors having the same paint codes, but which are applied to automobiles that are manufactured at different manufacturing sites. The interview discussion focused on the content of the cited references and the features disclosed in Applicants' specification. No agreement was reached.

traverse the rejection.

In determining obviousness, the four-prong test of Graham v. John Deere Co., 383 U.S. 1 (1966) is employed. This test requires examination of (i) the scope and content of the prior art; (ii) the level of ordinary skill in the prior art at the time of the invention; (iii) the differences, if any, between the claimed invention and the prior art; and (iv) the objective considerations of nonobviousness, such as commercial success, long-felt need, failure of others, and unexpected results. Iron Grip Barbell Co., Inc. v. USA Sports, Inc., 73 U.S.P.Q.2d 1226 (Fed. Cir. 2004). Applying the Graham factors, Applicants urge that the present invention is nonobvious over Corrigan et al.

The scope and content of prior art reference Corrigan et al. discloses, and in fact requires, among other elements, the use of a central computer system and a scanning device in the most basic form of the invention. Corrigan et al. offers two options for providing the vehicle-specific information into a remote terminal (step 10). Either the information is manually input into the remote terminal, or such information is scanned (col. 5, lines 4-7). Separately, Corrigan et al. requires that paint color data is input into a remote terminal, and this requires scanning (step 20). The paint scanning device used in step 10 of Corrigan et al. is a handheld device that includes a device that measures the reflectance of a paint sample over the visible spectrum (col. 6, lines 24-27).

The remote terminal used in steps 10 and 20 comprises a paint scanning device, for example, without limitation, spectrophotometer or calorimeter (error in original), a vehicle identifying input device, one or more input ports (I/O ports) and a remote storage means (col. 5, line 66 to col. 6, line 3). All reading devices are in communication with a central computer (col. 6, lines 8-9) (emphasis added). The

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CONCLUSION

In view of the foregoing, reconsideration and allowance of claims 1-13 is requested. If anything further is needed to advance prosecution of the present application the Examiner is invited to contact Applicants' attorney at the telephone number provided below.

Respectfully submitted,



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Dated: June 21, 2006

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